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Attorney for the Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA, ) Case No.: 2:16-cr-042-JAD-GWF  
Plaintiff, )  
vs. )  
TIMOTHY J. WALKER, )  
Defendant. )

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel for the United States of America, and William Carrico, Esq. counsel for the Defendant TIMOTHY J. WALKER, that the sentencing currently scheduled for December 5, 2016, be vacated and be continued to a date and time convenient to the Court, but no sooner than 60 days.

This Stipulation is entered into for the following reasons:

1. Assistant United States Attorney Elham Roohani is awaiting certain documentation needed to determine whether any appropriate motions will need to be filed prior to sentencing.
2. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the Government and Defendant sufficient time

1           within which to effectively and thoroughly prepare for the sentencing hearing

2       3. The defendant is not in custody, and does not object to the continuance.

3       4. The parties agree to the continuance.

4       5. Additionally, denial of this request for continuance could result in a miscarriage

5           of justice.

6       6. This is the third requested continuance of sentencing from the parties.

7           DATED this 28th day of November, 2016.

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9           DANIEL G. BOGDEN,  
United States Attorney

WILLIAM CARRICO, ESQ.

10  
11          By: /s/ Elham Roohani  
ELHAM ROOHANI  
Assistant United States Attorney

12          By: /s/ William Carrico  
WILLIAM CARRICO, ESQ.  
Counsel for Timothy J. Walker

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2                   UNITED STATES DISTRICT COURT  
3                   DISTRICT OF NEVADA

4                   UNITED STATES OF AMERICA,

5                   Plaintiff,

6                   vs.

7                   TIMOTHY J. WALKER,

8                   Defendant.

Case No.: 2:16-cr-042-JAD-GWF

9  
10                  FINDINGS OF FACT, CONCLUSIONS OF  
11                  LAW AND ORDER

12  
13                  FINDINGS OF FACT

14         Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
15         Court finds that:

16         1. Assistant United States Attorney Elham Roohani is awaiting certain  
17                 documentation needed to determine whether any appropriate motions will need  
18                 to be filed prior to sentencing.  
19         2. The additional time requested herein is not sought for purposes of delay, but  
20                 merely to allow counsel for the Government and Defendant sufficient time  
21                 within which to effectively and thoroughly prepare for the sentencing hearing.  
22         3. The defendant is not in custody, and does not object to the continuance.  
23         4. The parties agree to the continuance.  
24         5. Additionally, denial of this request for continuance could result in a miscarriage  
               of justice.  
25         6. This is the third requested continuance of sentencing from the parties.

26         ...  
27         ...

1                   CONCLUSIONS OF LAW

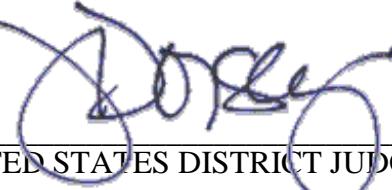
2       The ends of justice served by granting said continuance outweigh the best interest of the  
3       public and the defendant in a speedy trial, since the failure to grant said continuance would be  
4       likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the  
5       opportunity within which to be able to effectively and thoroughly prepare for trial, taking into  
6       account the exercise of due diligence.

7       The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United  
8       States Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the  
9       factors under Title 18, United States Code §§ 3161(h)(7)(B), 3161(h)(7)(B)(iv), and  
10      3161(h)(1)(D).

11                   ORDER

12       IT IS FURTHER ORDERED that the sentencing currently scheduled on December 5,  
13       2016 at 1:30 p.m., be vacated and continued to February 6, 2017 at 10:00 a.m.

14       DATED this 29th day of November, 2016.

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16                   \_\_\_\_\_  
17                   UNITED STATES DISTRICT JUDGE